

THE KENWICK PLACE HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 2023-1

ASSOCIATION RULES AND REGULATIONS

WHEREAS, Article VI Section 5 of the Declaration of Covenants (“Declaration”) of The Kenwick Place Homeowners Association (“Association”) authorizes the Association to promulgate and amend Rules and Regulations concerning the operation and use of the common areas;

WHEREAS, Article VII Section 1(a) provides the Board of Directors (“Board”) the power to adopt and publish Rules and Regulations governing the use of the Common Area and facilities and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

WHEREAS, Section 55.1-1819 of the Virginia Property Owners Association Act (“Act”) provides the Board with the power to adopt and enforce rules and regulations;

WHEREAS, the Board has determined that there is a need to establish amended policies and procedures pertaining to the Association’s Rules and Regulations concerning the operation and use of the common areas.

NOW, THEREFORE, BE IT RESOLVES THAT the Board hereby adopts the following policies and procedures, as part of the Association’s Rules and Regulations, and this Policy replaces any existing policies and procedures:

KENWICK PLACE RULES AND REGULATIONS

Updated 09/18/23

Bylaws: Article VII, Section 1 (a) – Adopt and publish Rules and Regulations governing the use of the common area and facilities and the personal conduct of the members and their guest thereon, and to establish penalties for the infraction thereof;

Corrected Third Amendment to the Declaration of Covenants, Conditions and Restrictions of Kenwick Place Homeowners Association, Inc., 2022, Rules and Regulations concerning the operation and use of the common areas may be promulgated and amended by the Association; provided that such Rules and Regulations are not contrary to or inconsistent with the laws of the State of Virginia or the purposes of this Declaration. Copies of the Rules and Regulations shall be furnished by the Association to each Owner prior to the time when the same shall be effective. Exhibit “B” General Prohibitions and Requirements: The following general prohibitions and requirements shall prevail as to the construction or activities on any Lot in any subdivision:

A.

1. No temporary house, trailer, tent, garage or other outbuilding shall be placed or erected

on any Lot.

2. No animal, other than common household pets, shall be kept or maintained on any Lot; and nor more than two (2) common household pets shall be kept or maintained in any Lot. Common household pets shall not be kept, bred or maintained for commercial purposes in any Lot. Pets shall be controlled by their owners to preclude interference with the enjoyment by others of their Lots or the Common lands.
3. No commercial signs, including "for rent", "for sale" and other similar signs, shall be erected or maintained on any Lot except with the written permission of the Board or except as maybe required by legal proceedings.
4. No unused, unlicensed, stripped down, partially wrecked or junk motor vehicles or sizeable parts thereof shall be permitted to be parked on any street in the subdivision, on any Lot or any Common Area.
5. Every outdoor receptacle for trash, rubbish, or garbage shall be enclosed or concealed from the neighbors' view and shall not be visible from the street. If enclosed, the size and dimensions of the screen must be submitted on the proper form to the Architectural Committee and Board for approval prior to installation.
6. No outdoor clothes poles, clothes lines, private television or radio antennae and similar equipment shall be permitted.
7. All Lots, whether occupied or unoccupied, and any improvements placed thereon, shall at all times be maintained in such manner as to prevent their becoming unsightly by reason of the accumulation of rubbish or debris thereon. If not maintained by the Owner, the Lot will be cleaned up by Association at the Owner's expense.
8. No noxious, offensive or illegal activities shall be carried on any Lot nor shall anything be done on any Lot that shall be or become an unreasonable annoyance or nuisance to the neighborhood.
9. No trees on the fronts or sides of the townhomes shall be cut down, removed or relocated without written approval of the Board.
10. No alteration of original landscaping, even after a Lot is sold, will be allowed without prior written approval of The Board.
11. All draperies, venetian blinds or other window decorations located on the front or side of the townhome must be shades of white.
12. Firing of guns and/or fireworks of any kind is prohibited at all times in any unit and on the premises of which the Lot is a part.
13. No fence shall be constructed for any reason.
14. No open air fire shall be started or maintained on any Lot except in a grill or other suitable enclosure or container designed for the safe housing of man-made fires for cooking.
15. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

16. Should any covenants or restrictions herein contained, or any sentence, clause, phrase or term of this instrument be declared to be void, invalid, illegal or unenforceable for any reason by the adjudication of any court or other tribunal having jurisdiction over the parties hereto and the subject matter hereof, such judgment shall in no wise affect the other provisions hereof which are hereby declared to be severable and which shall remain in full force and effect. In addition, if there is any contradiction between these restrictions and any governmental ordinances, laws or regulations of a Federal, State or local agency, the latter shall prevail.
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To supplement and further explain the foregoing General Provisions, the Board of Directors has adopted the following General Rules:

KENWICK PLACE RULES AND REGULATIONS

Adopted September 21, 2015 – Edited 01/15/24

General Rules

Attendance at Board Meetings

Meetings are open to all homeowners

Pursuant to Policy Resolution 2012-4 - Homeowners may attend meetings to speak at the Owners Forum in the 15 minutes prior to the beginning of the meeting agenda. Any pertinent issues raised will be taken for consideration. Homeowners may observe until an Executive session is established. Anyone who interrupts the meeting will be asked to leave the meeting. Owners wishing to have an item added to the current agenda must submit the information in writing to Property Management at least ten days prior to the meeting so that any opinion or decision may be properly researched.

Delinquent Fees

A \$25.00 late fee will be assessed to any delinquent assessments or dues paid after the 10th of the month.

Forms

The proper forms for Architectural and Landscape repairs, additions or changes and must be submitted to the Architectural or Landscape Committee for approval and recommendation to the Board of Directors. No changes may be instituted before these steps have been taken. The **committee** has 30 days to process and refer to the Board and the Board of Directors has 30 days to act upon the request submitted. Please allow enough time for requests to travel through the process.

Parking

Each homeowner has been allotted two spaces and one additional space to be used as needed. Please be considerate of your neighbors when parking to allow for their additional needs and also for guests.

Except as allowed in this rule, including but not limited to, no boats, recreational vehicles, trailers, motorcycles, commercial vehicles, full size vans or trucks, mid-size vans, panel vans or pick-up trucks are to be parked within the complex. Nor shall any vehicle have advertising visible on it or ladder racks.

Nothing in this rule is designed to prevent the temporary parking of service vehicles during the time service or repair work is being performed during working hours.

Pick-up trucks being driven by guests of homeowners are allowed for 24 hours. Longer stays need permission that is obtained by submitting a request in writing to the board in care of the management company.

Pets

In addition to Kenwick Place rules and regulations, Roanoke County ordinances govern pet ownership.

Pet owners are reminded that refuse must be picked up and disposed of properly.

No more than two pets (dogs/cats) per household are permitted.

Pet owners are required to confine their pets to their own property or the common areas.

Pets are not to be walked or walk across other **homeowners'** front, back or side property.

At no time should pets be off leash or outside unattended (tied or untied). At no time should leashes, leads, cables or similar items be left outside when not in use.

No invisible fences or pet houses are permitted.

Trash Containers

Every outdoor receptacle for trash, rubbish or garbage must be enclosed/concealed on all sides as close to the rear of the house as possible or properly concealed from neighbors' view and may not be visible from the street. If enclosed, the design and dimensions of the structure must be submitted on the proper form to the architectural committee and the board for approval.

Trash Pick Up

Trash containers are to be put at curbside **at dusk on Monday p.m.** or early Tuesday a.m. and removed on the same day trash is collected.

For those using Premium Pick-Up Service bagged trash may be left on the front step.

Bulk refuse is collected every other Tuesday. That schedule is available at the web site or by telephone.

When holidays occur on Monday pick-up is usually delayed one day. Therefore, trash cans must not be placed at the front of units until the evening before trash is collected. The County will advise of their November/December holiday schedule.

The county collection schedule is available at www.roanokecounty.gov or by calling 540-387-6225.

Grilling on Decks

Grilling on decks is prohibited by the Kenwick Place Homeowners Association.

No fire pits, charcoal cookers, braziers, hibachi or grill or any gasoline or other flammable liquid or liquefied petroleum, gas fired stove, electric stoves, grills or similar device shall be ignited or used on or under the decks.

Seasonal Décor

One decoration may be used on the outside of the front or storm doors year-round, not to exceed approximately 24" wide by 36" tall.

So that Kenwick Place presents a festive appearance at holidays, seasonal decorations are encouraged.

Christmas

At Christmas homeowners are to use **only white/clear lights** on the exterior. Electric candles only may be displayed in front windows with white/clear bulbs only.

Colored lights are not permitted on the exterior of homes, including exterior doors and storm doors.

All exterior decorations must be removed by January 20th.

Outside Appearance

Toys, bikes, scooters, play equipment or similar items may not be left outside or visible from the street when not in use.

Lawn maintenance equipment such as rakes, hoes, lawn debris bags or similar items may not be left outside or visible from the street when not in use.

Sidewalk chalk is not permitted in the front of the homes and may only be used on concrete patios in the rear of homes.

Contracted Services

All directions to these contractors are given by our management company. Homeowners are not to change directions or add additional services. The following areas are examples of contracts with outside service providers:

Lawn maintenance

Landscape maintenance

Lawn Fertilizing and weed control

Snow removal

Shrub trimming

Tree removal

ADDENDUMS

Architectural Rules and Regulations	pages 7-9
Architectural Document – What Requires Approval and What Doesn't	page 10
Sample Photos of Approved Products	pages 11-14
Composite Deck Policy	pages 16-17
Landscaping Rules and Regulations	pages 18-19

Architectural Rules and Regulations

Any architectural change requests must be submitted to the Architectural Committee at least sixty (60) days prior to commencement of work. There are Architectural Change Request forms to be used for this purpose. Please contact management if you need a form.

1. Front Door (photos on page 8)
 - a. Style (styles approved are noted per attachments)
 - b. Color (color names and color chips are noted per attachments)
2. Front Storm Door (photos on page 9)
 - a. Style (styles approved are noted per attachments)
 - b. Color (the color MUST match front entry door or trim color)
3. Shutters (photos on page 10)
 - a. Style
 - b. Must be painted to match front entry door
4. Flags
 - a. Only American Flags are permitted. Size, placement and installation to be approved by the Board of Directors.
5. Deck Color
 - a. Homeowners must maintain decks.
 - b. Homeowners are required to stain or seal decks. If stained, must match siding color (Summerhouse beige), be a clear sealant or an Earthtone brown sealant/stain. If clear or Earthtone, a color sample/chip must be submitted with appropriate form to ARC Committee for approval.
 - c. Decks may be composite. Color sample of composite must be submitted with appropriate form to ARC Committee for approval.
 - d. Natural/Clear Sealant/Stain - Color sample must be submitted with appropriate form to ARC Committee for approval.
 - e. Wooden decks may have metal railings, subject to the same requirements as found in the Composite Deck Policy.
6. Window Box (photos on page 11)
 - a. Style
Sketch, drawing and sample must be submitted to ARC Committee for approval.
 - b. Color
Must match approved exterior colors for siding or trim.
7. Windows

- a. Mullions must be in all windows facing the front and sides. Mullions for windows in back of homes are optional.
- b. Color must match trim or siding.
- c. Screens must be used in a consistent manner on the front and sides of houses. They should be used in all windows or not used in any window.

8. Siding

- a. The current approved vinyl siding product is Certain Teed Carolina Beaded Horizontal Vinyl Siding in Savannah Wicker. Trim color is dependent on whether home is located on the end (Cape Cod style homes) or interior (brick-front homes).
- b. Cement board or Masonite board may be used in the Kenwick Place approved colors, which are on file with Sherwin Williams on Route 419/Promenade Plaza. If repairs are performed, the entire side must be painted to present a uniform look and not a spotty appearance.

9. Window Dressing

- a. All window dressings facing the front and sides of the house must be white.
- b. No banners, flags, posters, political signs or similar items may hang in front or side windows.

10. Privacy Screens

- a. Privacy screens can be installed on the back deck to give residents more privacy, contingent on the following specifications first being met:
 - a. Plans, specifications a sketch or a drawing must be submitted to the Architectural Committee for consideration and approval.
 - b. Notification to install must be given in writing to adjoining neighbors on either side, as appropriate, making neighbors on both adjoining sides aware of the change. This communication should be in writing and presented to the ARC Committee along with the request.

11. Front Railings (photos on page 12)

- a. Style
Three styles are acceptable (see attached).
- b. Color
Color must conform to exterior approved color for trim of that specific home type (end unit Cape Cod style homes have different trim than the interior brick-front style homes). These colors are on file at Sherwin Williams on Route 419 in Promenade Plaza.

12. Brick Sidewalks

- a. Style/Pattern/Design and color of brick allowed must be approved by the Architectural Committee and Board; mortar or approved material/product are required to stabilize brick in place.

13. All exterior Architectural changes and/or improvements **must be in writing on approved forms** and presented to the Architectural Committee for review, then passed to the Board for approval. A “Letter of Intent” is not an approval.

14. Light Fixtures

- a. There must be one light fixture on each side of the front door (as before). No other fixtures can be attached to the house.
- b. Light fixtures must be in keeping with the style of the other light fixtures at Kenwick Place (ie: Colonial style lanterns).
- c. Fixtures must be no less than 12 inches high and no more than 24 inches high.

Updated 01/15/24

The following changes were unanimously adopted by the Board of Directors at the 10/16/23 Board Meeting and are incorporated into the Rules and Regulations.

The following are maintenance issues for homes at Kenwick Place that will not require approval from the Architectural Committee and the Board. These are things that are maintenance (ex. painting front rails the exact same color as they were) and not changes. If you make any change, (ex. changing the color of your front door and shutters), you must still submit a request to the Architecture Committee for approval as before.

Please make certain that you are using colors, styles, and materials that are already approved. It is recommended that you check with someone on the Arc committee if you have any questions. Also, both Sherwin Williams and Benjamin Moore have the approved colors for KP on file. Failure to comply with approved colors, etc will result in having to re-do your project.

KP Maintenance that does not require a formal request:

1. Painting front door and shutters in the same color that is has been. (note door and shutters must be the same color)
2. Painting front railings in the same approved color that they have been.
3. Repairing front rails if there is no style change. These must then be painted in the original color.
4. Staining or painting existing decks or privacy panels in the same color as they have been.
5. Replacing damaged wood on decks as long as it is then painted or stained to match the color of the existing deck.
6. Replacing boots on roof.
7. Repair or replace chimney cap as long as it matches the color of the house.
8. For houses that do not have vinyl siding/trim, it is important to maintain the trim. This must be painted in the same approved color that has previously been approved.
9. Painting door surrounds or window frames (if applicable) in the same approved color as it has been. The vinyl door surrounds and windows do not require painting, but some homes have fypon or wood and these need to be regularly painted in the approved color.
10. Repairing mortar in brick as long as there is not a change.
11. Gutter repair, or addition of gutter guards as long as it looks the same as it did.
12. Window boxes must be maintained and in the same style and color as they were (if applicable). If you want to change the color or style of window box or add one you must request a change.
13. Exterior rotten or damaged siding or trim boards may be replaced without seeking approval. However, after replacement, the entire plane must be painted (front, side or back), not just the replaced boards.

Updated 01/15/24

Kenwick Place Exterior Doors



Sent 01/22/24

Updated 01/15/24

Kenwick Place Glass Doors



Updated 01/15/24

Kenwick Place Shutters



Sent 01/22/24

Updated 01/15/24

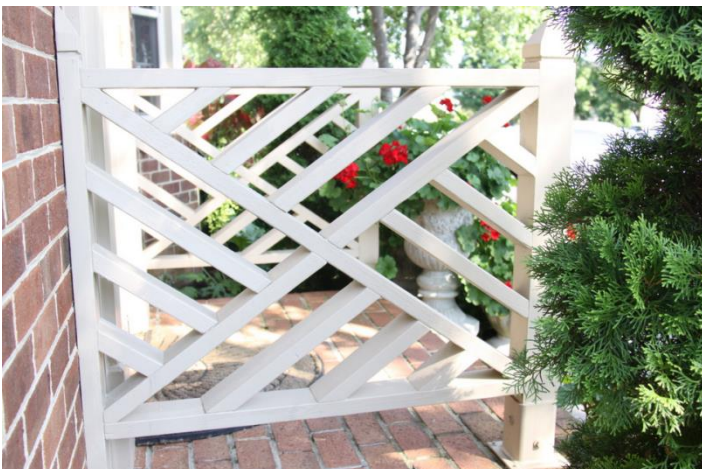
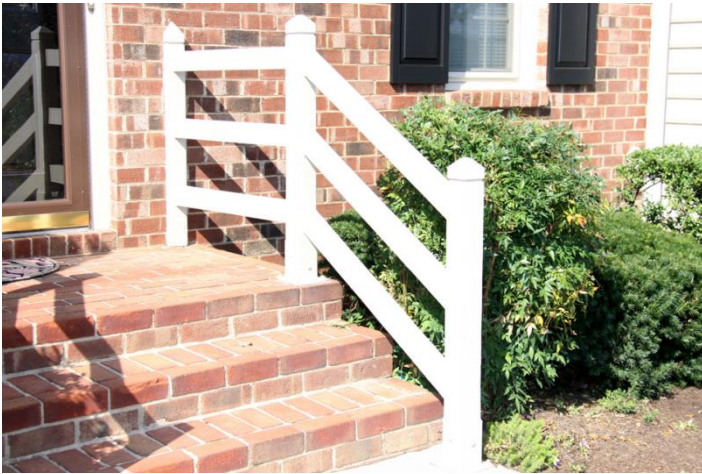
Kenwick Place Flower Boxes



Sent 01/22/24

Updated 01/15/24

Kenwick Place Railings



Composite Decks

As Amended and Adopted by the Board of Directors 11/27/23

General

- Composite decks should fit in with the style, color, etc of the existing decks.
- Homeowners must submit an Architectural Change Request if replacing their deck.
- Samples of material and color, as well as pictures of style must be included with the request. True white or a random color such as blue, etc... may not be used.
- Decks must meet Roanoke County Code requirements.
- Composite decking is made of various materials, which could include plastic, vinyl, PVC, etc... mixed with wood chips. Composite is an acceptable material, but products that are entirely plastic, vinyl or PVC or any component of the product that is entirely plastic, vinyl or PVC (such as sleeves on posts, etc...) will not be permitted, except as provided under Caps and Post Skirts.

Flooring

- The color of the composite deck must either closely resemble the original decks (Sherwin Williams Summerhouse Beige) or it should be in keeping with other existing decks which are a natural wood color.
- If selecting a Summerhouse Beige color, it must very closely match the color of the siding. (As a guide, the current color of approved stain for the original wood decks is on file at Sherwin Williams and Benjamin Moore. Also, there are samples of siding available from Architectural Review Committee, Board, and Management Company).
- If not selecting a color to match Summerhouse beige, the approved color must be a shade of brown or gray.

Posts

- The style of posts must closely match original deck posts. They must be nominal 4" and the same shape as original timber posts.
- The color of posts must match either the balusters or decking.

Rails and Steps

- Top rails may be standard or drink style rails.
- Railing color must match either the flooring, posts or balusters.
- Bottom rails must match either post, top rail, or baluster color.
- If you have steps, railing for the steps must be grippable (rounded) as per ADA code.

Balusters

- The area between the posts and below the top rail must be straight, vertical balusters in keeping with existing decks. Balusters can either be square or round and may not be decorative.
- Composite material that matches the rest of the deck may be used.
- Metal balusters in black, brown, or bronze may be used, but may not include decorative swirls or configurations. Metal includes aluminum, galvanized steel or wrought iron.
- Metal balusters may also be used on wood decks.

Caps and Post Skirts

- If using the drink rail for the top rail, no cap is required.
- If using a standard rail, use a matching cap and skirt. In the event that caps are only available in vinyl, vinyl caps will be permitted in an approved vinyl material. In the event that composite caps are available, this is the preferred material. Wood may also be used.

Fascia Boards

- Fascia Boards must closely resemble the floor and should be the same material and color as the floor.

Regulations for Landscaping

General:

No planting of any kind in Common Areas (which includes entrance, gazebo, mailbox kiosk, etc.) unless approved by the landscape committee and the board of directors.

Common area faucets are not for private use.

The HOA is not responsible for the care of plants or flowers planted by the homeowners. The POA is also not responsible for replacements chosen by homeowners. If planting of vines (ivy, wisteria, etc.) causes any structural damage, homeowners will be responsible for repair cost.

Unit Backs:

Back lawns are not to be over planted as to obstruct mowing and access for utility vehicles or emergency vehicles.

Please take your neighbors' views into consideration so that plants or trees do not obstruct their view of the scenery.

Permission is not needed to plant in the rear of units; however, all landscaping must be maintained and weeded as necessary so that a neat appearance is maintained. All dead debris must be removed.

There is to be no debris, garbage or trash tossed over embankments at any time on surrounding property.

Unit Fronts and Sides:

In order to keep consistency in the front of all units and comply with the covenants and conditions of the association the following restrictions apply:

No ornaments, statuary, fences, stakes or rocks are to be placed in front of homes, on steps or stoops.

Planting in containers is encouraged. Containers need to be placed on steps or stoop.

Homes with window boxes may have seasonal annuals, bulbs, perennials and/or greenery (shrubs, vines, etc.) and are to be maintained properly by the homeowner.

Optional planting of seasonal annuals, bulbs, perennials and/or greenery (shrubs, vines, etc...) is allowed within the confines of front beds. The homeowner must remove debris and dead plants at the end of the blooming season.

Bird feeders are permitted, but must be placed in existing flowerbeds or mulched areas, or hung from the deck in the back so they do not impede mowing.

Birdhouses are strictly prohibited on the front or side of units.

Plans for planting or removal of plants, shrubs, trees, flowers or other landscaping must be presented in writing to the Landscape Committee using the landscape change request form and pertain to the front and/or side of the home.

Landscaping planted on the sides of the homes must be maintained by the homeowner in a manner in which it does not become unkempt or unsightly, as determined at the sole discretion of the Board.

There is a \$100.00 limit for replacement of original plantings for those shrubs that are dying, diseased or grossly overgrown. Homeowners may choose shrubs and pay for any extra over this amount. Proof of purchase is to be submitted to board of directors for reimbursement.

There is a \$200.00 limit for replacement of original plantings for those trees that are dying, diseased or grossly overgrown. Homeowners may choose trees and pay for any extra over this amount. Proof of purchase is to be submitted to board of directors for reimbursement.

Replanted shrubs must be evergreen (fronts only).

Trimming of shrubs is done on an as-needed basis and is done by the contracted lawn maintenance provider. If a homeowner would like to trim their own shrubs or trees, they **must** notify the management company in writing. At that time, the information will be added to a list and provided to the grounds contractor.